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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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UNITED STATES OF AMERICA	:	Hon. Leda Dunn Wettre
	:	
v.	:	Mag. No. 19-8079
	:	
STEPHEN KOSAKOWSKI	:	<b>ORDER FOR A CONTINUANCE</b>

This matter having come before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (by Mark McCarren, Assistant United States Attorney), and defendant Stephen Kosakowski (by Andrea Jacobs, Assistant Federal Public Defender, Central District of California), for an order granting a continuance of the proceedings in the above-captioned matter from the date this Order is signed through and including October 6, 2023 to permit sufficient time to defense counsel for effective preparation in this matter and to allow the parties to conduct plea negotiations and/or enter into a pretrial diversion program, and to allow defendant's individual mental health counseling to continue; and the defendant being aware that he has the right to have the matter submitted to a grand jury within 30 days of the date of his arrest pursuant to Title 18, United States Code, Section 3161(b); and the defendant having hereby waived a preliminary hearing in this matter; and the defendant, through his attorney, having consented to the continuance; and multiple prior continuances having been granted by the Court; and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

- (1) Additional time is required to submit the application for pretrial diversion and for Pretrial Services to review the application for admission into the program ;

- (2) To allow the defendant to continue with his court-directed individual mental health counseling sessions;
- (3) The failure to grant a continuance would deny counsel for the defendant the reasonable time necessary to enter into plea negotiations and/or trial while also allowing the defendant to continue the constructive mental health counseling that he is currently undergoing at the direction of United States Pretrial Services;
- (4) Plea negotiations are currently underway, and both the United States and the defendant seek additional time to achieve successful resolution of these negotiations, including the possibility of entry into the pretrial diversion program, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;
- (5) The defendant has consented to the aforementioned continuance;
- (6) The grant of a continuance will likely conserve judicial resources; and
- (7) Pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, it is on this 9<sup>th</sup> day of August , 2023;

ORDERED that this action be, and it hereby is, continued from the date this Order is signed through and including October 6, 2023; and it is further

ORDERED that the period from the date this Order is signed through and including October 6, 2023 shall be excludable in computing time under the Speedy Trial Act of 1974.



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HONORABLE LEDA DUNN WETTRE  
United States Magistrate Judge

Form and entry consented to:

s/MARK J. McCARREN

Mark J. McCarren  
Assistant U.S. Attorney

s/ANDREA JACOBS

Andrea Jacobs, Assistant Federal Public  
Defender, Central District of California  
Counsel for Defendant